

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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WAUSAU UNDERWRITERS INSURANCE :  
COMPANY and AXIS SPECIALTY : 06 Civ. 3212 (VM)  
INSURANCE COMPANY, :

Plaintiffs, :  
: ORDER  
- against - :  
:

QBE INSURANCE CORPORATION and  
SCOTTSDALE INSURANCE COMPANY

Defendants.

VICTOR MARRERO, United States District Court.

By Decision and Order dated July 26, 2007 (the "Order") the Court granted the motion of plaintiffs Wausau Underwriters Insurance Company and Axis Specialty Insurance Company (collectively, "Plaintiffs") for partial summary judgment against defendant QBE Insurance Company ("QBE") with respect to Plaintiffs' first claim for declaratory relief asserted against QBE. On August 21, 2007 QBE filed a notice of Appeal with the United States Court of Appeals for the Second Circuit appealing the Order. The matter is now pending before the appellate court. Accordingly, it is hereby

**ORDERED** that further proceedings before this Court in this action are stayed pending resolution of the appeal filed by defendant QBE Insurance Company with the United States Court of Appeals for the Second Circuit appealing this Court's

Decision and Order dated July 26, 2007; and it is further  
**ORDERED** that the Clerk of Court is directed to place this  
action on the Court's Suspense Docket during the pendency of  
the appeal herein.

**SO ORDERED.**

Dated: New York, New York  
18 September 2007



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Victor Marrero  
U.S.D.J.